IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 76313-M of 2006

DATE OF DECISION : 05.12.2006

Smt. Kamal Kurich and another

.... PETITIONERS

Versus

State of Punjab and another

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. G.S. Sandhawalia, Advocate,
for the petitioners.

* * *

The petitioners, apprehending their arrest in a non-bailable offence in case FIR No. 337 dated 27.10.2006 under Sections 498-A, 406, 494, 495 IPC, registered at Police Station Division No.6, Jalandhar, have filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard counsel for the petitioners and gone through the contents of the FIR.

The petitioners in this case are mother-in-law and husband of the complainant. In the aforesaid FIR, it is case of the complainant that her marriage was solemnized with petitioner No.2 on 29.6.1997. It was the second marriage of the husband. The allegation against the petitioners is that earlier on 13.4.2000, they gave beating to the complainant and turned her out of the house, regarding which she lodged complaint with the police of Police Station Division No.6, Jalandhar, but the matter was compromised. Thereafter, as per the allegations of the complainant, in February, 2002, she was again turned out from her matrimonial house by the petitioners by giving severe beatings. Petitioner No.2 is alleged to be habitual of drinking and after drinking, he used to beat the complainant. It is

also alleged that petitioner No.1 used to help petitioner No.2 in such brutal activities. Again there are allegations of beating given to the complainant by both the petitioners on 23.8.2006. It has been alleged that petitioner No.1 caught the complainant from her arm, while petitioner No.2 beat her with dang blows which hit on her left thigh, knee and ankle and an attempt was made to kill her by beating.

After hearing counsel for the petitioners, keeping in view the serious allegations of beating by petitioner No.2 in drunken condition with the help of his mother-petitioner No.1, I am not inclined to grant the benefit of anticipatory bail to the petitioners.

Dismissed.

December 05, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**